

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF WEST VIRGINIA**

KEITH REED, ELIZABETH SCHENKEL,  
EMILY WINES, MARK GARAN, and  
AUGUST ULLUM, individually and on behalf  
of others similarly situated,

Plaintiffs,

v.

ALECTO HEALTHCARE SERVICES LLC, and  
ALECTO HEALTHCARE SERVICES  
WHEELING, LLC d/b/a OHIO VALLEY  
MEDICAL GROUP and d/b/a OVMC  
PHYSICIANS,

Defendants.

Case No. 5:19-cv-00263

Judge John Preston Bailey

CLASS ACTION

**ORDER**

Pending before the Court is Plaintiff's Motion to Modify Protective Order. Defendants consent to the Plaintiffs' proposed modification of the Protective Order, entered on May 7, 2019. [ECF Doc. # 27.] There being no objections, the Motion is hereby **GRANTED**. The Court **ORDERS** the Protective Order modified as follows:

**Disclosure and Use of Confidential Information.**

6. Information designated as Confidential Information or Protected Information may only be used for purposes of preparation, trial, appeal, execution of judgments and enforcement of the Court's Orders. Protected Information may not be used under any circumstances for prosecuting any patent application, for patent licensing or for any other purpose. The provisions of LCvR 16.1.D, relating to the inadvertent disclosure of privileged information, shall apply in all cases governed by this Protective Order.

7. Subject to paragraph 9 below, Confidential Information may be disclosed by the receiving party only to the following individuals for purposes of preparation, trial, appeal, execution of judgments and enforcement of the Court's Orders, provided that such individuals are informed of the terms of this Protective Order: (a) the receiving party if that party is an individual or two (2) employees of the receiving party who are required in good faith to provide assistance in the conduct of this litigation, including any settlement discussions, and who are identified as such in writing to counsel

for the designating party in advance of the disclosure; (b) two (2) in-house counsel who are identified by the receiving party; (c) outside counsel for the receiving party (including the party's litigation counsel in this matter); (d) supporting personnel employed by (b) and (c), such as paralegals, legal secretaries, data entry clerks and legal clerks; (e) experts or consultants; (f) any persons requested by counsel to furnish services such as photocopying, document coding, image scanning, mock trial, jury profiling, translation services, court reporting services, demonstrative exhibit preparation, or the creation of any computer database from documents; (g) to witnesses, in connection with their testimony at deposition, hearing or trial; and (h) the Court and its personnel. If such disclosure includes PHI, the receiving party shall use and disclose only the minimum necessary amount of PHI as is necessary for the recipient's function in the litigation.

All other terms and provisions of the Court's previously entered Protective Order shall remain in effect.

**IT IS SO ORDERED.**

ENTERED: 4-13-2023



HONORABLE JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE

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